

FIRST REGULAR SESSION

[P E R F E C T E D]

# SENATE BILL NO. 234

92ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR QUICK.

Read 1st time January 9, 2003, and 1,000 copies ordered printed.

Read 2nd time January 23, 2003, and referred to the Committee on Economic Development, Tourism and Local Government.

Reported from the Committee February 20, 2003, with recommendation that the bill do pass.

Taken up for Perfection February 26, 2003. Bill declared Perfected and Ordered Printed, as amended.

0931S.01P

TERRY L. SPIELER, Secretary.

## AN ACT

To repeal section 64.342, RSMo, and to enact in lieu thereof one new section relating to park concession stands, with an emergency clause.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 64.342, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 64.342, to read as follows:

64.342. 1. Section 64.341 to the contrary notwithstanding, the county commission of any county of the first classification without a charter form of government with a population of at least one hundred fifty thousand containing part of a city with a population over three hundred fifty thousand is hereby authorized to acquire, by purchase or gift, establish, construct, own, control, lease, equip, improve, maintain, operate and regulate, in whole or in part, concession stands or marinas within any area contiguous to the lake which is used as a public park, playground, camping site or recreation area. No such lease or concession grant shall be for a longer term than twenty-five years.

**2. The county commission of any county of the first classification with a population of at least one hundred fifty thousand containing part of a city with a population over three hundred fifty thousand that acquires, in whole or in part, concession stands, marinas, and/or ancillary equipment thereto shall compensate the owner or owners at fair market value for such purchase.**

[2.] 3. Such concession stands or marinas may offer refreshments for sale to the public

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

using such areas and services therein relating to boating, swimming, picnicking, golfing, shooting, horseback riding, fishing, tennis and other recreational, cultural and educational uses upon such terms and under such regulations as the county may prescribe.

[3.] 4. All moneys derived from the operation of concession stands or marinas shall be paid into the county treasury and be credited to a "Park Fund" to be established by each county authorized under subsection 1 of this section and be used and expended by the county commission for park purposes.

[4. The provisions of this section authorizing and extending authority to counties concerning marinas shall not apply to any privately operated marina in operation prior to August 28, 2000, except that if an operator is in default or if no bids are received during the open bid period, then the county may operate such marina for a period not to exceed a cumulative total of twenty-four months.]

Section B. Because of the need to clarify the rights of property owners, section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section A of this act shall be in full force and effect upon its passage and approval.

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Bill

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